

Chapter 134: Tobacco/Alternative Nicotine Regulations (only sections changed)

134.15. DEFINITIONS. **ALTERNATIVE NICOTINE PRODUCT.** An alternative nicotine product means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. "Alternative nicotine product" excludes cigarettes, smokeless tobacco, or other tobacco products as these terms are defined herein and any product approved by the United States Food and Drug Administration as a non-tobacco product for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

134.19 PURCHASE OF ALTERNATIVE NICOTINE PRODUCT BY MINOR PROHIBITED.

A person, either directly or indirectly by an agent or employee, or by a vending machine owned by the person or located in the person's establishment, may not sell, offer for sale, give, or furnish any alternative nicotine product, or any cartridge or component of an alternative nicotine product, to a person under 18 years of age. Before selling, offering for sale, giving, or furnishing an alternative nicotine product, or any cartridge or component of an alternative nicotine product, to another person, the person selling, offering for sale, giving, or furnishing the alternative nicotine product shall verify that the person is at least 18 years of age by:

(1) examining from any person that appears to be under 27 years of age a government-issued photographic identification that establishes the person is at least 18 years of age or

(2) for sales made through the Internet or other remote sales methods, performing an age verification through an independent, third-party age verification service that compares information available from public records to the personal information entered by the person during the ordering process that establishes the person is 18 years of age or older.

134.20 POSSESSION OF ALTERNATIVE NICOTINE PRODUCT BY MINOR PROHIBITED.

A person under 18 years of age shall not possess an alternative nicotine product.

134.99 **PENALTY.**

(C) Tobacco regulations. Any person, firm or corporation who violates any of the provisions of §§ 134.16 through **134.20** shall, in addition to any other relief as the law may afford, be punishable as set forth in § 10.99 of this code.